

**SPECIAL ORDER
OCCUPANCY AND USE RESTRICTIONS
SAN JUAN NATIONAL FOREST**

Posted
Carol Guthrie
3/25/04

Pursuant to Title 16 United States Code, Section 551, and Title 36 of the Code of Federal Regulations (CFR), Section 261.50(a) and (b), the following restrictions are in effect on all National Forest System lands of the San Juan National Forest, unless otherwise excluded, effective immediately, until rescinded or until 12/31/09, whichever occurs first.

These restrictions are needed to protect Forest visitors, to protect the resources of the National Forests, and to provide public health and safety for visitors.

General Occupancy/Use Restrictions

1. Possessing or consuming ethyl alcohol in violation of Colorado Revised Statute 18-47-122 section 2a, which states, *"Any person under twenty-one years of age who possesses or consumes ethyl alcohol anywhere in the state of Colorado commits illegal possession or consumption of ethyl alcohol by an underage person."* (36 CFR 261.58(bb))
2. Possessing, storing, transporting Cannabis plant/s or part thereof or any controlled substance derived from the manufacture of Cannabis plant/s as defined or classified under 21 USC 802(16) as Marijuana (36 CFR 261.58(t)).

Vehicle Use

3. Violating any section of the Colorado Traffic Code (Colorado Revised Statutes- Title 42), while on National Forest System Roads, Forest System Trails, or other National Forest lands (36 CFR 261.54(d) and 261.55(d)).
4. Operating a vehicle carelessly, recklessly, or without regard for the rights or safety of other persons or in a manner or at a speed that would endanger or be likely to endanger any person or property (36 CFR 261.54(f)).
5. Operating an Off Highway Vehicle (OHV) on National Forest System Roads or Forest Development Trails in violation of Colorado Revised Statutes 33-14.5-102, which states in part, *"Except as provided in subsection (6) of this section, and except as provided for nonresident-owned and -operated off-highway vehicles in subsection (9) of this section, no person shall operate, nor have in his or her possession at any staging area, any off-highway vehicle within the state unless such off-highway vehicle has been registered and numbered in accordance with the provisions of this article."* (36 CFR 261.54(a) and 36 CFR 261.55(b)).
6. Operating a snowmobile on National Forest System Roads or Forest Development Trails in violation of Colorado Revised Statutes Title 33-14-102, which states in part, *"Except as provided in subsection (6) of this section, no person shall operate, nor have in his possession at any staging area, any snowmobile within the state unless such snowmobile has been registered and numbered in accordance with the provisions of this article."* (36 CFR 261.54(a) and 261.55(b))
7. Parking or leaving a vehicle in violation of posted instructions (36 CFR 261.58(g)).
8. Using a National Forest System Road for commercial hauling without a permit or written authorization (36 CFR 261.54(c)).

Pursuant to 36 CFR 261.50(e), the following persons are exempted from this order. *Note, additional exemptions are indicated in the order.*

- a. Persons with a permit specifically authorizing the otherwise prohibited act or omission.
- b. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

This order supercedes all or parts of the following San Juan National Forest Special Orders as indicated:

Order #	Restrictions superceded
96-13	all

Done in Durango, Colorado this 25th day of March.



Mark W. Stiles
Forest Supervisor
San Juan National Forest

Violations of these regulations are punishable by a fine of up to \$5,000, and/or imprisonment for up to 6 months. (16 USC 551, and 18 USC 3571(b)(6))